

## REMARKS

Reconsideration and allowance of the application are respectfully requested in light of the above amendments and the following remarks.

Applicants acknowledge with appreciation the indication in the Office Action that claims 1-27 would be allowable if amended to overcome the applied 35 USC 112, first paragraph, and 35 USC 101 rejections. Independent claim 17 has been amended in the manner suggested in the Office Action for overcoming the 35 USC 101 rejections applied to claims 17-24 and 27.

Claims 1, 3, 5-9, 11, 13-17, 19, and 21-27 have been amended for clarity. The amendments, other than that made to claim 17 for overcoming the 35 USC 101 rejections, are considered to be non-narrowing; therefore, no estoppel should be deemed to attach thereto.

Claims 1-27 were rejected, under 35 USC §112, first paragraph, as lacking support for the recited phrase “sequence of when the action contents are actually communicated” (see Office Action page 3, lines 3-4). Applicants have amended each of independent claims 1, 9, and 17 to overcome these rejections.

For example, claim 1 now recites:

*A network monitoring system that monitors a communication within a network including a plurality of terminals, the terminals including at least a client and a server, the terminals communicating a plurality of action contents with each other, each action content having a group of associated packets, the network monitoring system comprising:*

*a data acquisition section that acquires a plurality of packets flown on the network;*

*a data analysis section that analyzes each of the packets to extract the group of associated packets from all the packets and that acquires an action content from the group of associated packets, the data analysis section extracting a plurality of groups of the associated packets and acquiring a plurality of action contents therefrom;*

*a display-information generation section that generates display information by chronologically aligning the plurality of action contents to correspond to respective times when the action contents are actually communicated; and*

*a display unit that displays an association graph indicating the terminals within the network and that overlaps additional objects on the association graph, the additional objects being generated in accordance with the display, the additional objects being overlapped on the association graph in a chronological order corresponding to the respective times when the action contents are actually communicated,*

*wherein the additional objects include:*

*the type of operating system employed by the client,  
the type of operating system employed by the server,  
an account name of a user accessing the client, and  
an icon representing the account name.*

Thus, the amended language for overcoming the 35 USC 112, first paragraph rejections (which amended language is indicated by the second set of underlined text, above) essentially repeats language previously recited in claim 1 (which previously recited language is indicated by the first set of underlined text, above); and this previously-recited language did not serve as a basis within the Office Action for rejecting claim 1 under 35 USC 112, first paragraph. Moreover, paragraphs [0039] and [0072] of Applicants' published specification disclose, with regard to Fig. 8, that as a new action occurs within a network, a network monitoring system updates displayed information regarding the recently occurring action (see Applicants' paragraph [0072], lines 11-14). Thus, the specification discloses that the information of the network actions are displayed in chronological order, as they occur, through the updating of the display.

Accordingly, Applicants submit that the clarifying amendment of claim 1 overcomes the 35 USC 112, first paragraph rejection of claim 1. Independent claims 9 and 17 have been

similarly amended. Therefore, allowance of claims 1, 9, and 17 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

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JEL/DWW/att

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